

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
	)	
W.R. GRACE & CO., <i>et al.</i> ,	)	Case No. 01-1139 (JKF)
	)	Jointly Administered
	)	
Debtors.	)	Re: Docket No. 13061

**CERTIFICATE OF SERVICE REGARDING NOTICE OF BAR DATE FOR PRE-  
PETITION ASBESTOS PERSONAL INJURY CLAIMS  
(SETTLED AND NON- SETTLED)**

1. On August 24, 2006, the Court entered an Order as to all Pre-Petition Asbestos PI Litigation Claims, Including Settled Claims (I) Establishing Bar Dates; (II) Approving Proof of Claim Form; and (III) Approving Notice of Pre-Petition Asbestos Personal Injury Claims Bar Date (Docket No. 13061) (the "Bar Date Order").

2. Pursuant to the Bar Date Order, the Debtors were directed to serve the Bar Date Notice<sup>1</sup> and the Asbestos PI Proof of Claim Form on counsel of record for all holders of Pre-Petition Asbestos PI Claims, or where such holder is not represented by counsel, on such holders themselves, via direct U.S. mail. Such notice was timely made and a separate certificate of service has been filed in that regard.

3. In addition to the service required under the Bar Date Order, the Debtors caused the Bar Date Notice to be published in The Wall Street Journal and USA Today. Attached hereto are Verifications of Publication from The Wall Street Journal and USA Today, verifying publication of the Bar Date Notice in each paper on September 5, 2006.

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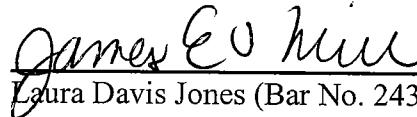
<sup>1</sup> All capitalized terms herein have the definition attributed to them in the Bar Date Order.

Dated: October 3, 2006

KIRKLAND & ELLIS LLP  
David M. Bernick, P.C.  
Janet S. Baer  
Salvatore F. Bianca  
200 East Randolph Drive  
Chicago, Illinois 60601  
Telephone: (312) 861-2000  
Facsimile: (312) 861-2200

and

PACHULSKI STANG ZIEHL YOUNG  
JONES & WEINTRAUB LLP

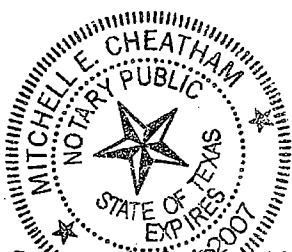
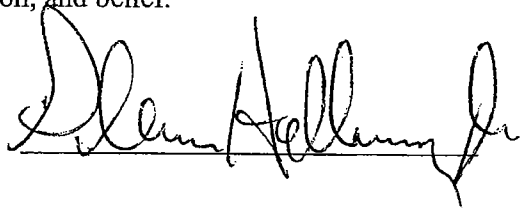
A handwritten signature in cursive script, appearing to read "James E. O'Neill", is written over a horizontal line.

Laura Davis Jones (Bar No. 2436)  
James E. O'Neill (Bar No. 4042 )  
919 North Market Street, 17th Floor  
P.O. Box 8705  
Wilmington, DE 19899-8705 (Courier 19801)  
Telephone: (302) 652-4100  
Facsimile: (302) 652-4400

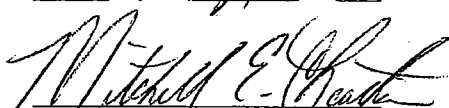
Co-Counsel for Debtors and Debtors in  
Possession

STATE OF TEXAS                    )  
  ) ss:  
CITY AND COUNTY OF DALLAS)

I, Glenn Hellums Jr., being duly sworn, depose and say that I am the Advertising Clerk of the Publisher of THE WALL STREET JOURNAL , a daily national newspaper published and of general circulation in the City and County of New York, New York, City of Naperville, DuPage County, Illinois, and in the city and County of Dallas, Texas and that the attached Notice has been regularly published in THE WALL STREET JOURNAL for national distribution for one insertion(s) on the following date(s): 9/5/06 at the request of advertiser: W.R. Grace & Co. and that the foregoing statements are true and correct to the best of my knowledge, information, and belief.



Sworn to before me this  
5<sup>th</sup> day of Sept. 2006

  
Notary Public

# ◆ BANKRUPTCIES ◆

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re: **W. R. GRACE & CO., et al.**,  
Chapter 11  
Case No. 01-01139 (JFK)  
Debtors. (Jointly Administered).

### **NOTICE OF BAR DATES FOR PRE-PETITION ASBESTOS PERSONAL INJURY LITIGATION CLAIMS (SETTLED AND NON-SETTLED)**

PLEASE TAKE NOTICE THAT on August 24, 2006, the Honorable Judith K. Fitzgerald, United States Bankruptcy Judge, United States Bankruptcy Court for the District of Delaware (the "Court"), having jurisdiction over the chapter 11 cases of W. R. Grace & Co. and certain of its affiliates (collectively, the "Debtors" or "Grace"), entered a Bar Date Order in the above-referenced bankruptcy cases.

The Court has established **October 16, 2006** (the "Settled Pre-Petition PI Claims Bar Date") as the last date for all persons and entities including without limitation, each individual, partnership, joint venture, corporation, estate, trust and governmental unit who have Settled Pre-Petition PI Claims (as defined herein) against any of the Debtors or their predecessors-in-interest, to file a W. R. Grace & Co. Asbestos PI Proof of Claim ("Asbestos PI Proof of Claim").

and  
The Court has established **November 15, 2006** (the "Non-Settled Pre-Petition PI Claims Bar Date"), and together with the Settled Pre-Petition PI Claims Bar Date, the "Asbestos PI Bar Dates") as the last date for all persons and entities including without limitation, each individual, partnership, joint venture, corporation, estate, trust and governmental unit who have Non-Settled Pre-Petition Asbestos PI Claims (as defined herein) against any of the Debtors or their predecessors-in-interest, to file an Asbestos PI Proof of Claim.

#### **I. WHO MUST FILE AN ASBESTOS PI PROOF OF CLAIM:**

You MUST file an Asbestos PI Proof of Claim on or before the applicable Asbestos PI Bar Dates. If you hold at least one of the following:

- A "Non-Settled Pre-Petition Asbestos PI Claim," which is defined as an asbestos-related claim for personal injury or wrongful death alleged to have been caused in whole or in part by exposure to asbestos or asbestos-containing material to which one or more of the Debtors were alleged to be legally responsible, and such claim against one or more of the Debtors (1) was filed in court as a lawsuit or civil action prior to April 2, 2001; (2) has not been dismissed or otherwise resolved with prejudice; (3) has not been fully satisfied by any of the Debtors (either by fully-paid settlement or judgment); and (4) is not subject to a settlement agreement that (a) is evidenced by a writing dated prior to April 2, 2001 (which you must attach to your Asbestos PI Proof of Claim); (b) is enforceable under applicable non-bankruptcy law, and (c) provides for a release of one or more of the Debtors;

- A "Settled Pre-Petition Asbestos PI Claim," which is defined as an asbestos-related claim for personal injury or wrongful death alleged to have been caused in whole or in part by exposure to asbestos or asbestos-containing material to which one or more of the Debtors were alleged to be legally responsible, and such claim against one or more of the Debtors (1) was filed in court as a lawsuit or civil action prior to April 2, 2001; and (2) is subject to a settlement agreement that (a) is evidenced by a writing dated prior to April 2, 2001 (which you must attach to your Asbestos PI Proof of Claim); (b) is enforceable under applicable non-bankruptcy law, and (c) provides for a release of one or more of the Debtors; and (d) has not been fully paid or satisfied by any of the Debtors.

#### **II. PROCEDURE FOR SETTLED PRE-PETITION ASBESTOS PI CLAIMS**

If you are asserting a Settled Pre-Petition Asbestos PI Claim, as defined above, you MUST file your Asbestos PI Proof of Claim on or before the Settled Pre-Petition PI Claims Bar Date of October 16, 2006, or your claim will be barred.

If you are asserting a Settled Pre-Petition Asbestos PI Claim, you must so indicate on the accompanying Asbestos PI Proof of Claim form, and attach supporting documentation to the form. Upon receipt of your completed Asbestos PI Proof of Claim, the Debtors will examine it against their records. If, after examining their records, the Debtors do not dispute the settlement reflected or described in your Asbestos PI Proof of Claim, then the Debtors shall promptly notify you in writing within twenty-two (22) calendar days after receipt of your Asbestos PI Proof of Claim that the Debtors do not dispute or contest the settlement reflected or described in your Asbestos PI Proof of Claim.

If your Asbestos PI Proof of Claim sets forth a settlement amount that does not correspond with the Debtors' settlement records, or if the Debtors' records do not correspond with the settlement described or reflected in your Asbestos PI Proof of Claim, the Debtors will notify you or your attorney in writing that you have a "Contested Settled Claim" and send you or your attorney a W. R. Grace Asbestos Personal Injury Questionnaire ("Questionnaire") within twenty-two (22) calendar days after receipt of your Asbestos PI Proof of Claim.

Upon receiving the Questionnaire, you will have thirty (30) calendar days to fill out and return the Questionnaire, (1) unless you or your attorney have already filed out and returned the Questionnaire to the claims processing agent, Rust Consulting, or (2) you or your attorney file a written objection with the Court within fourteen (14) calendar days after receiving the Questionnaire setting forth, among other things, the reasons why you believe you do not hold a Contested Settled Claim or why you believe you should not be required to fill out and return the Questionnaire. If such an objection is not filed within that 14-day period, you must fill out and return the Questionnaire within thirty (30) calendar days after your receipt of the Questionnaire. The Court will hear any objection that is timely filed by the holder of a Contested Settled Claim and decide whether that holder has to fill out the Questionnaire at the December 18, 2006 omnibus hearing.

#### **III. PROCEDURE FOR NON-SETTLED PRE-PETITION ASBESTOS PI CLAIMS**

If you are asserting a Non-Settled Pre-Petition Asbestos PI Claim, you MUST file your Asbestos PI Proof of Claim on or before the Non-Settled Pre-Petition PI Claims Bar Date of November 15, 2006, or your claim will be barred.

If you are asserting a Non-Settled Pre-Petition Asbestos PI Claim and you previously returned the Questionnaire, you still must file an Asbestos PI Proof of Claim. Also, filing an Asbestos PI Proof of Claim does not excuse you from filling out and returning the Questionnaire. If you filed an Asbestos PI Proof of Claim but did not return your Questionnaire, the Debtors reserve the right to request that the Court bar and disallow your Non-Settled Pre-Petition Asbestos PI Claim. All holders of Non-Settled Pre-Petition Asbestos PI Claims must file both the Asbestos PI Proof of Claim form and the Questionnaire.

#### **IV. WHAT IF I ALREADY FILED A PROOF OF CLAIM?**

YOU MUST FILE THE ENCLOSED ASBESTOS PI PROOF OF CLAIM FORM EVEN IF YOU PREVIOUSLY FILED A PROOF OF CLAIM REGARDING YOUR PRE-PETITION ASBESTOS PI CLAIM ON BANKRUPTCY OFFICIAL FORM 101 (OR AN A FORM SUBSTANTIALLY SIMILAR TO OFFICIAL FORM 101).

If prior to the applicable claims bar date, you filed a proof of claim for any claim other than your Non-Settled Pre-Petition Asbestos PI Claim or your Settled Pre-Petition Asbestos PI Claim, then you do not need to refile that other claim on the accompanying Asbestos PI Proof of Claim form.

#### **V. WHO DOES NOT NEED TO FILE AN ASBESTOS PI PROOF OF CLAIM**

The Asbestos PI Bar Dates and the need to file an Asbestos PI Proof of Claim apply only to holders of Settled Pre-Petition Asbestos PI Claims and to holders of Non-Settled Pre-Petition Asbestos PI Claims. You do not need to file an Asbestos PI Proof of Claim for any of the following types of asbestos claims:

- An asbestos-related property damage claim.
- A property damage claim arising from Zonolite attic insulation.
- An asbestos-related claim for which a lawsuit or civil action has been filed exclusively seeking or exclusively predicated on medical monitoring.
- An asbestos-related workers' compensation claim.
- Any asbestos-related claim for personal injury or wrongful death that does not satisfy either the definition of a Non-Settled Pre-Petition Asbestos PI Claim or the definition of a Settled Pre-Petition Asbestos PI Claim, including, without limitation, any asbestos-related claim for personal injury or wrongful

death for which a lawsuit or civil action against the one or more of the Debtors was commenced prior to April 2, 2001, and that lawsuit or civil action was (i) settled or adjudicated to judgment and such settlement or judgment was fully satisfied as of April 2, 2001, or (ii) dismissed before April 2, 2001.

- Any asbestos-related claim for personal injury or wrongful death that would otherwise satisfy the definition of a Non-Settled Pre-Petition Asbestos PI Claim or the definition of a Settled Pre-Petition Asbestos PI Claim, but has been disallowed or expunged by order of a court of competent jurisdiction.
- An asbestos-related claim for personal injury or wrongful death that had not been filed in court as a lawsuit or civil action against any of the Debtors as of April 2, 2001.

YOU SHOULD NOT FILE AN ASBESTOS PI PROOF OF CLAIM IF YOU DO NOT HAVE A CLAIM AGAINST THE DEBTORS, OR IF YOUR LAWSUIT AGAINST THE DEBTORS WAS RESOLVED AND ANY JUDGMENT OR SETTLEMENT WAS SATISFIED BY THE DEBTORS BEFORE APRIL 2, 2001, OR IF THE CLAIM YOU HELD AGAINST THE DEBTORS HAS BEEN OTHERWISE DISALLOWED OR PAID IN FULL.

#### **VI. WHEN AND WHERE TO FILE**

To file a claim, do the following:

- File your claim by completing the Asbestos PI Proof of Claim form attached to this notice as Exhibit 1.
- For additional copies of the Asbestos PI Proof of Claim form:

- Contact Rust Consulting, Inc., the claims processing agent, toll-free at 1-800-432-1909; 9:00 a.m. - 4:00 P.M., Central Time, Monday through Friday. Claimants will not be charged for this call.

Visit the Grace chapter 11 website at [www.graceclaims.com](http://www.graceclaims.com) to request an Asbestos PI Proof of Claim form.

- Asbestos PI Proofs of Claim that are postmarked as mailed on or before the applicable Asbestos PI Bar Dates, but are actually received by Grace's claims agent, Rust Consulting, thereafter, shall be deemed and considered timely filed. However, Asbestos PI Proofs of Claim that are submitted by facsimile, telecopy, or other electronic transmission will not be accepted and will not be deemed filed. If you choose to mail your Asbestos PI Proof of Claim, you should mail it via first-class mail to the following address:

Rust Consulting, Inc. • Claims Processing Agent  
Re: W. R. Grace & Co. Bankruptcy  
P.O. Box 1620, Fairbault, MN 55021-1620

- If you choose to file your Asbestos PI Proof of Claim via hand-delivery, courier, or overnight express, you must send it so that it is actually received on or before the applicable Asbestos PI Bar Dates at the following address:

Rust Consulting, Inc. • Claims Processing Agent  
Re: W. R. Grace & Co. Bankruptcy  
201 S. Lyndale Ave., Fairbault, MN 55021

(between the hours of 9:00 a.m. and 4:00 p.m., Central Time, on business days).

- Asbestos PI Proofs of Claim must be signed by the claimant or the person or entity submitting the document on behalf of the claimant.

- Do not file or send copies of your Asbestos PI Proof of Claim to the Debtors, counsel for the Debtors, the Official Committee of Unsecured Creditors, the Official Committee of Asbestos Personal Injury Claimants, the Official Committee of Asbestos Property Damage Claimants, the Official Committee of Equity Security Holders, or such Committees' counsel.

- Upon receipt of your Asbestos PI Proof of Claim, the claims processing agent will send an acknowledgment card with the appropriate claim number noted thereon.

#### **VII. WHAT TO FILE**

To file an Asbestos PI Proof of Claim, you must use the court-approved Asbestos PI Proof of Claim form that is attached to this notice as Exhibit 1. Your Asbestos PI Proof of Claim must be written in English.

#### **VIII. CLAIMS AGAINST MULTIPLE DEBTORS/OTHER NAMES**

If you assert claims against more than one Debtor, you do not need to file a separate Asbestos PI Proof of Claim against each applicable Debtor. The Debtors' chapter 11 plan currently contemplates a consolidation of the Debtors for plan purposes whereby claims will be paid by the consolidated Debtors' estates. If consolidation for plan purposes is not ultimately allowed by the Court, you will have the opportunity to assert your claim against the applicable Debtor or Debtors.

#### **IX. EFFECT OF NOT PROPERLY FILING AN ASBESTOS PI PROOF OF CLAIM**

ALL HOLDERS OF A SETTLED PRE-PETITION ASBESTOS PI CLAIM OR A NON-SETTLED PRE-PETITION ASBESTOS PI CLAIM ARE REQUIRED TO FILE A PROOF OF CLAIM ON THE COURT-APPROVED ASBESTOS PI PROOF OF CLAIM FORM. ANY SUCH HOLDER WHO FAILS TO FILE AN ASBESTOS PI PROOF OF CLAIM ON OR BEFORE THE APPLICABLE ASBESTOS PI BAR DATES SHALL BE FOREVER BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING ANY SUCH CLAIMS (OR FILING A PROOF OF CLAIM WITH RESPECT TO SUCH CLAIMS) AGAINST ANY OF THE DEBTORS OR THEIR PREDECESSORS-IN-INTEREST, OR THEIR PROPERTY OR ESTATES. IF ANY SUCH CLAIMS ARE SO BARRED, EACH OF THE DEBTORS AND ITS PROPERTY SHALL BE FOREVER DISCHARGED FROM ALL INDEBTEDNESS AND LIABILITIES WITH RESPECT TO SUCH CLAIMS AND THE HOLDERS OF SUCH CLAIMS SHALL NOT BE ENTITLED TO RECEIVE ANY DISTRIBUTION IN THESE CHAPTER 11 CASES OR ACCOUNT OF SUCH CLAIMS, OR TO RECEIVE FURTHER NOTICES REGARDING SUCH CLAIMS OR REGARDING THESE CHAPTER 11 CASES.

#### **X. QUESTIONS REGARDING COMPLETION OF THE ASBESTOS PI PROOF OF CLAIM FORM**

If you have any questions concerning whether or not you need to file an Asbestos PI Proof of Claim, you should consult your attorney. If you have questions concerning the technical requirements of completing the Asbestos PI Proof of Claim form or for additional information regarding this notice or to obtain an Asbestos PI Proof of Claim form, contact the claims processing agent, Rust Consulting, toll-free at 1-800-432-1909 between 9:00 a.m. and 4:00 p.m. (Central time), Monday through Friday, or write to the claims processing agent, Rust Consulting, at the address set forth above. You may also request an Asbestos PI Proof of Claim form via Grace's chapter 11 website, at [www.graceclaims.com](http://www.graceclaims.com).

#### **BY ORDER OF THE COURT:**

/s/ Judith K. Fitzgerald  
The Honorable Judith K. Fitzgerald, United States Bankruptcy Judge

\* The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co. Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Dares Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Earg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management I, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investments, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intertec, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.



7950 Jones Branch Drive • McLean, Virginia 22108  
1-800-872-3433




### VERIFICATION OF PUBLICATION

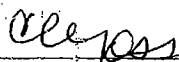
#### COMMONWEALTH OF VIRGINIA COUNTY OF FAIRFAX

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Being duly sworn Kristen Cunningham says that she is the principal clerk of USA TODAY, and is duly authorized by USA TODAY to make this affidavit, and is fully acquainted with the facts stated herein: on Tuesday, September 5, 2206 the following advertisement- In re: W.R. GRACE & CO., et al., was published in **USA TODAY DOMESTIC**.

  
Principal Clerk of USA TODAY  
Wednesday, September 06, 2006

Subscribed and sworn to before me  
This 6<sup>th</sup> day of September month  
2006 year.

  
Notary Public

My Commission Expires September 30, 2009

## LEGAL NOTICE

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: Chapter 11  
W. R. GRACE & CO., et al.,<sup>1</sup> Case No. 01-01139 (JKF)  
Debtors. (Jointly Administered)

NOTICE OF BAR DATES FOR PRE-PETITION ASBESTOS PERSONAL-  
INJURY LITIGATION CLAIMS (SETTLED AND NON-SETTLED)

PLEASE TAKE NOTICE THAT on August 24, 2006, the Honorable Judith K. Fitzgerald, United States Bankruptcy Judge, United States Bankruptcy Court for the District of Delaware (the "Court"), having jurisdiction over the chapter 11 cases of W. R. Grace & Co. and certain of its affiliates (collectively, the "Debtors" or "Grace"), entered a Bar Date Order in the above-referenced bankruptcy cases.

The Court has established October 16, 2006 (the "Settled Pre-Petition PI Claims Bar Date") as the last date for all persons and entities including without limitation, each individual, partnership, joint venture, corporation, estate, trust and governmental unit who have Settled Pre-Petition PI Claims (as defined herein) against any of the Debtors or their predecessors-in-interest, to file an Asbestos PI Proof of Claim ("Asbestos PI Proof of Claim").

and

The Court has established November 15, 2006 (the "Non-Settled Pre-Petition PI Claims Bar Date"), together with the Settled Pre-Petition PI Claims Bar Date, the "Asbestos PI Bar Date") as the last date for all persons and entities including without limitation, each individual, partnership, joint venture, corporation, estate, trust and governmental unit who have Non-Settled Pre-Petition Asbestos PI Claims (as defined herein) against any of the Debtors or their predecessors-in-interest, to file an Asbestos PI Proof of Claim.

## I. WHO MUST FILE AN ASBESTOS PI PROOF OF CLAIM:

You MUST file an Asbestos PI Proof of Claim on or before the applicable Asbestos PI Bar Date, the "Asbestos PI Bar Date," which is defined as:

• A "Non-Settled Pre-Petition Asbestos PI Claim," which is defined as an asbestos-related claim for personal injury or wrongful death alleged to have been caused in whole or in part by exposure to asbestos or asbestos-containing material to which one or more of the Debtors were alleged to be legally responsible, and such claim against one or more of the Debtors (1) was filed in court as a lawsuit or civil action prior to April 2, 2001; (2) has not been dismissed or otherwise resolved with prejudice; (3) has not been fully satisfied by any of the Debtors (either by fully paid settlement, judgment, and (4) is not subject to a settlement agreement that (a) is evidenced by a writing dated prior to April 2, 2001 (which you must attach to your Asbestos PI Proof of Claim), (b) is enforceable under applicable non-bankruptcy law, and (c) provides for a release of one or more of the Debtors.

• A "Settled Pre-Petition Asbestos PI Claim," which is defined as an asbestos-related claim for personal injury or wrongful death alleged to have been caused in whole or in part by exposure to asbestos or asbestos-containing material to which one or more of the Debtors were alleged to be legally responsible, and such claim against one or more of the Debtors (1) was filed in court as a lawsuit or civil action prior to April 2, 2001; and (2) is subject to a settlement agreement that (a) is evidenced by a writing dated prior to April 2, 2001 (which you must attach to your Asbestos PI Proof of Claim), (b) is enforceable under applicable non-bankruptcy law, (c) provides for a release of one or more of the Debtors, and (d) has not been fully paid or satisfied by any of the Debtors.

## II. PROCEDURE FOR SETTLED PRE-PETITION ASBESTOS PI CLAIMS

If you are asserting a Settled Pre-Petition Asbestos PI Claim, as defined above, you MUST file your Asbestos PI Proof of Claim on or before the Settled Pre-Petition PI Claims Bar Date of October 16, 2006, or your claim will be barred.

If you are asserting a Settled Pre-Petition Asbestos PI Claim, you must so indicate on the accompanying Asbestos PI Proof of Claim form, and attach supporting documentation to the form. Upon receipt of your completed Asbestos PI Proof of Claim, the Debtors will examine it against their records. If, after examining their records, the Debtors do not dispute the settlement reflected or described in your Asbestos PI Proof of Claim, then the Debtors shall promptly notify you in writing within twenty-one (21) calendar days after receipt of your Asbestos PI Proof of Claim that the Debtors do not dispute or contest the settlement reflected or described in your Asbestos PI Proof of Claim.

If your Asbestos PI Proof of Claim sets forth a settlement amount that does not correspond with the Debtors' settlement records, or if the Debtors' records do not correspond with the settlement described or reflected in your Asbestos PI Proof of Claim, the Debtors will notify you or your attorney in writing that you have a "Contested Settled Claim" and send you or your attorney a W. R. Grace Asbestos Personal Injury Questionnaire ("Questionnaire") within twenty-one (21) calendar days after receipt of your Asbestos PI Proof of Claim.

Upon receiving the Questionnaire, you will have thirty (30) calendar days to fill out and return the Questionnaire, (1) unless you or your attorney have already filled out and returned the Questionnaire to the claims processing agent, Rust Consulting, or (2) you or your attorney file a written objection with the Court within fourteen (14) calendar days after receiving the Questionnaire setting forth, among other things, the reasons why you believe you do not hold a Contested Settled Claim or why you believe you should not be required to fill out and return the Questionnaire. If such an objection is not filed within that 14-day period, you must fill out and return the Questionnaire within thirty (30) calendar days after your receipt of the Questionnaire. The Court will hear any objection that is timely filed by the holder of a Contested Settled Claim and decide whether that holder has to fill out the Questionnaire at the December 18, 2006 omnibus hearing.

## III. PROCEDURE FOR NON-SETTLED PRE-PETITION ASBESTOS PI CLAIMS

If you are asserting a Non-Settled Pre-Petition Asbestos PI Claim, you MUST file your Asbestos PI Proof of Claim on or before the Non-Settled Pre-Petition PI Claims Bar Date of November 15, 2006, or your claim will be barred.

If you are asserting a Non-Settled Pre-Petition Asbestos PI Claim and you previously returned the Questionnaire, you still must file an Asbestos PI Proof of Claim. Also, filing an Asbestos PI Proof of Claim does not excuse you from filling out and returning the Questionnaire. If you filed an Asbestos PI Proof of Claim but did not return your Questionnaire, the Debtors reserve the right to request that the Court bar and disallow your Non-Settled Pre-Petition Asbestos PI Claim. All holders of Non-Settled Pre-Petition Asbestos PI Claims must file both the Asbestos PI Proof of Claim form and the Questionnaire.

## IV. WHAT IF I ALREADY FILED A PROOF OF CLAIM?

YOU MUST FILE THE ENCLOSED ASBESTOS PI PROOF OF CLAIM FORM EVEN IF YOU PREVIOUSLY FILED A PROOF OF CLAIM REGARDING YOUR PRE-PETITION ASBESTOS PI CLAIM ON BANKRUPTCY OFFICIAL FORM 10 (OR ON A FORM SUBSTANTIALLY SIMILAR TO OFFICIAL FORM 10).

If prior to the applicable claims bar date, you filed a proof of claim for any claim other than your (Non-Settled) Pre-Petition Asbestos PI Claim or your Settled Pre-Petition Asbestos PI Claim, then you do not need to refile that other claim on the accompanying Asbestos PI Proof of Claim form.

## V. WHO DOES NOT NEED TO FILE AN ASBESTOS PI PROOF OF CLAIM

The Asbestos PI Bar Dates and the need to file an Asbestos PI Proof of Claim apply only to holders of Settled Pre-Petition Asbestos PI Claims and to holders of Non-Settled Pre-Petition Asbestos PI Claims. You do not need to file an Asbestos PI Proof of Claim for any of the following types of asbestos claims:

- An asbestos-related property-damage claim.
- A property-damage claim arising from Zonolite attic insulation.
- An asbestos-related claim for which a lawsuit or civil action has been filed exclusively seeking or exclusively predicated on medical monitoring.
- An asbestos-related workers' compensation claim.

Any asbestos-related claim for personal injury or wrongful death that does not satisfy either the definition of a Non-Settled Pre-Petition Asbestos PI Claim or the definition of a Settled Pre-Petition Asbestos PI Claim, including, without limitation, any asbestos-related claim for personal injury or

wrongful death for which a lawsuit or civil action against the one or more of the Debtors was commenced prior to April 2, 2001, and that lawsuit or civil action was (i) settled or adjudicated to judgment and such settlement or judgment was fully satisfied as of April 2, 2001, or (ii) dismissed before April 2, 2001.

• Any asbestos-related claim for personal injury or wrongful death that would otherwise satisfy the definition of a Non-Settled Pre-Petition Asbestos PI Claim or the definition of a Settled Pre-Petition Asbestos PI Claim, but has been disallowed or expunged by order of a court of competent jurisdiction.

• An asbestos-related claim for personal injury or wrongful death that had not been filed in court as a lawsuit or civil action against any of the Debtors as of April 2, 2001.

YOU SHOULD NOT FILE AN ASBESTOS PI PROOF OF CLAIM IF YOU DO NOT HAVE A CLAIM AGAINST THE DEBTORS, OR IF YOUR LAWSUIT AGAINST THE DEBTORS WAS RESOLVED AND ANY JUDGMENT OR SETTLEMENT WAS SATISFIED BY THE DEBTORS BEFORE APRIL 2, 2001, OR IF THE CLAIM YOU HELD AGAINST THE DEBTORS HAS BEEN OTHERWISE DISALLOWED OR PAID IN FULL.

## VI. WHEN AND WHERE TO FILE

To file a claim, do the following:

- File your claim by completing the Asbestos PI Proof of Claim form attached to this notice as **Exhibit 1**.
- For additional copies of the Asbestos PI Proof of Claim form:

• Contact Rust Consulting, Inc., the claims processing agent, toll-free at 1-800-432-1909, 9:00 a.m. - 4:00 p.m., Central time, Monday through Friday. Claimants will not be charged for this call.

• Visit the Grace chapter 11 website at [www.graceclaims.com](http://www.graceclaims.com) to request an Asbestos PI Proof of Claim form.

• Asbestos PI Proofs of Claim that are postmarked as mailed on or before the applicable Asbestos PI Bar Dates, but are actually received by Grace's claims agent, Rust Consulting, thereafter, shall be deemed and considered timely filed. However, Asbestos PI Proofs of Claim that are submitted by facsimile, telecopy, or other electronic transmission will not be accepted and will not be deemed filed. If you choose to mail your Asbestos PI Proof of Claim, you should mail it via first-class mail to the following address:

Rust Consulting, Inc. • Claims Processing Agent

Re: W. R. Grace & Co. Bankruptcy

P.O. Box 1620, Fairbairn, MN 55021-1620

• If you choose to file your Asbestos PI Proof of Claim via hand-delivery, courier, or overnight express, you must send it so that it is actually received on or before the applicable Asbestos PI Bar Dates at the following address:

Rust Consulting, Inc. • Claims Processing Agent

Re: W. R. Grace & Co. Bankruptcy

201 S. Lyndale Ave., Fairbairn, MN 55021

(between the hours of 9:00 a.m. and 4:00 p.m., Central Time, on business days).

• Asbestos PI Proofs of Claim must be signed by the claimant or the person or entity submitting the document on behalf of the claimant.

• Do not file or send copies of your Asbestos PI Proof of Claim to the Debtors, counsel for the Debtors, the Official Committee of Unsecured Creditors, the Official Committee of Asbestos Personal Injury Claimants, the Official Committee of Asbestos Property Damage Claimants, the Official Committee of Equity Security Holders, or such Committees' counsel.

• Upon receipt of your Asbestos PI Proof of Claim, the claims processing agent will send an acknowledgment card with the appropriate claim number noted thereon.

## VII. WHAT TO FILE

To file an Asbestos PI Proof of Claim, you must use the court-approved Asbestos PI Proof of Claim form that is attached to this notice as **Exhibit 1**.

Your Asbestos PI Proof of Claim must be written in English.

## VIII. CLAIMS AGAINST MULTIPLE DEBTORS/OTHER NAMES

If you assert claims against more than one Debtor, you do not need to file a separate Asbestos PI Proof of Claim against each applicable Debtor. The Debtors' chapter 11 plan currently contemplates a consolidation of the Debtors for plan purposes whereby claims will be paid by the consolidated Debtors' estates. If consolidation for plan purposes is not ultimately allowed by the Court, you will have the opportunity to assert your claim against the applicable Debtor or Debtors.

## IX. EFFECT OF NOT PROPERLY FILING AN ASBESTOS PI PROOF OF CLAIM

ALL HOLDERS OF A SETTLED PRE-PETITION ASBESTOS PI CLAIM OR A NON-SETTLED PRE-PETITION ASBESTOS PI CLAIM ARE REQUIRED TO FILE A PROOF OF CLAIM ON THE COURT-APPROVED ASBESTOS PI PROOF OF CLAIM FORM. ANY SUCH HOLDER WHO FAILS TO FILE AN ASBESTOS PI PROOF OF CLAIM ON OR BEFORE THE APPLICABLE ASBESTOS PI BAR DATES SHALL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM ASSERTING ANY SUCH CLAIMS (OR FILING A PROOF OF CLAIM WITH RESPECT TO SUCH CLAIMS) AGAINST ANY OF THE DEBTORS OR THEIR PREDECESSORS-IN-INTEREST, OR THEIR PROPERTY OR ESTATES, IF ANY SUCH CLAIMS ARE SO BARRED. EACH OF THE DEBTORS AND ITS PROPERTY SHALL BE FOREVER DISCHARGED FROM ALL INDEBTEDNESS AND LIABILITIES WITH RESPECT TO SUCH CLAIMS AND THE HOLDERS OF SUCH CLAIMS SHALL NOT BE ENTITLED TO RECEIVE ANY DISTRIBUTION IN THESE CHAPTER 11 CASES ON ACCOUNT OF SUCH CLAIMS, OR TO RECEIVE FURTHER NOTICES REGARDING SUCH CLAIMS OR REGARDING THESE CHAPTER 11 CASES.

## X. QUESTIONS REGARDING COMPLETION OF THE ASBESTOS PI PROOF OF CLAIM FORM

If you have any questions concerning whether or not you need to file an Asbestos PI Proof of Claim, you should consult your attorney. If you have questions concerning the technical requirements of completing the Asbestos PI Proof of Claim form or for additional information regarding this notice or to obtain an Asbestos PI Proof of Claim form, contact the claims processing agent, Rust Consulting, toll-free at 1-800-432-1909 between 9:00 a.m. and 4:00 p.m. (Central Time), Monday through Friday, or write to the claims processing agent, Rust Consulting, at the address set forth above. You may also request an Asbestos PI Proof of Claim form via Grace's chapter 11 website, at [www.graceclaims.com](http://www.graceclaims.com).

BY ORDER OF THE COURT:

/s/ Judith K. Fitzgerald

The Honorable Judith K. Fitzgerald, United States Bankruptcy Judge

<sup>1</sup> The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Newlife Boston Ltd., Newlife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a CB Biomedical, Inc.), CCH, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Dexco Puerto Rico, Inc., Del-Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Management, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-S Inc., Grace H-S II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guianica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHS Holding, Inc.), Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monite Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc.), E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.